

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Gerwyn Bish, et al. :

APPLICATION NO.: 10/586,029 : Examiner: Leeser, Erich A.

FILING DATE: January 17, 2007 : Group Art Unit: 1624

TITLE: PIPERAZINE DERIVATIVES :
WHICH EXHIBIT ACTIVITY AS
SEROTONIN AND
NORADRENALINE RE-UP TAKE
INHIBITORS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

The present Reply is in response to the Examiner's Requirement of Restriction/Election mailed August 8, 2007.

As best as can be determined, at Page 2 of the Official Action (at the beginning of "Detailed Action"), text line 5, the single "species" referred to is a single invention (from among Groups I-III as designated by the Examiner).

Accordingly, Applicant requests examination of the Group I invention, that is, Claims 1 and 3-12, as provided with Applicant's Preliminary Amendment herein. This election is made without traverse.

Referring to Page 4 of the Official Action, in the next-to-last paragraph, if election of a single species of compound is being requested to facilitate initial searching and examination, then Applicant elects the compound of Example 14, which is:

(-)-1-[2-(2-(ethoxyphenyl)-1-phenylethyl)piperazine dihydrochloride,

for which binding data is provided in Example 15 (biological activity).

Elected claims which read on the Species of Example 14 are claims 1, 2-10, and 12.

A Petition for Extension of Time (one month) is included. An early and favorable action is respectfully requested.

Respectfully submitted,

Dated: October 4, 2007

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